

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

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SENATE BILL 1350
Commerce, Small Business and Entrepreneurship Committee Substitute Adopted
5/16/07
House Committee Substitute Favorable 7/10/07

Short Title: Clarify MV Registration Requirements. (Public)

Sponsors:

Referred to:

March 26, 2007

A BILL TO BE ENTITLED

AN ACT TO CLARIFY MOTOR VEHICLE REGISTRATION REQUIREMENTS.

The General Assembly of North Carolina enacts:

SECTION 1. Section 4 of S.L. 2007-164 is repealed.

SECTION 2. G.S. 20-52 reads as rewritten:

"§ 20-52. Application for registration and certificate of title.

(a) An owner of a vehicle subject to registration must apply to the Division for a certificate of title, a registration plate, and a registration card for the vehicle. To apply, an owner must complete an application form provided by the Division. The application form must request all of the following information and may request other information the Division considers necessary:

(1) The owner's name.

(1a) If the owner is an individual, the following information:

a. The owner's mailing address and residence address.

b. One of the following:

1. The owner's ~~social security number.~~ North Carolina drivers license number or North Carolina special identification card number.

2. The owner's home state drivers license number or home state special identification card number and valid active duty military identification card if the owner is a person on active military duty and is stationed in this State.

3. The owner's home state drivers license number or home state special identification card number and proof of enrollment in a school in this State if the owner is a permanent resident of another state but is currently enrolled in a school in this State.

- 1 4. The owner's home state drivers license number or home
2 state special identification card number if the owner or
3 co-owner intends to principally garage the vehicle in this
4 State. "Principally garage" means the vehicle is garaged
5 for six or more months of the year on property in this
6 State which is owned, leased, or otherwise lawfully
7 occupied by the owner of the vehicle.
- 8 c. For vehicles that have more than one owner, only one co-owner
9 is required to provide the information requested under sub-
10 subdivision b. of this subdivision.
- 11 (1b) If the owner is a firm, a partnership, a corporation, or another entity,
12 the address of the entity.
- 13 (2) A description of the vehicle, including the following:
- 14 a. The make, model, type of body, and vehicle identification
15 number of the vehicle.
- 16 b. Whether the vehicle is new or used and, if a new vehicle, the
17 date the manufacturer or dealer sold the vehicle to the owner
18 and the date the manufacturer or dealer delivered the vehicle to
19 the owner.
- 20 (3) A statement of the owner's title and of all liens upon the vehicle,
21 including the names and addresses of all lienholders in the order of
22 their priority, and the date and nature of each lien.

23 The application form must contain the disclosures concerning the request for an
24 applicant's social security number required by section 7 of the federal Privacy Act of
25 1974, Pub. L. No. 93-579. In accordance with 42 U.S.C. 405(c)(2)(C)(v), the Division
26 may disclose a social security number obtained under this subsection only for the
27 purpose of administering the motor vehicle registration laws and may not disclose the
28 social security number for any other purpose. The social security number of a person
29 who applies to register a vehicle or of a person in whose name a vehicle is registered is
30 therefore not a public record. A violation of the disclosure restrictions is punishable as
31 provided in 42 U.S.C. 405(c)(2)(C)(vii).

32 (b) When such application refers to a new vehicle purchased from a manufacturer
33 or dealer, such application shall be accompanied with a manufacturer's certificate of
34 origin that is properly assigned to the applicant. If the new vehicle is acquired from a
35 dealer or person located in another jurisdiction other than a manufacturer, the
36 application shall be accompanied with such evidence of ownership as is required by the
37 laws of that jurisdiction duly assigned by the disposer to the purchaser, or, if no such
38 evidence of ownership be required by the laws of such other jurisdiction, a notarized bill
39 of sale from the disposer."

40 **SECTION 3.** Notwithstanding G.S. 20-58.2, any application for notation of
41 security interest which had been completed but not yet submitted to or processed by the
42 Division by the effective date of this act by reason of the fact that one or more owners
43 failed to possess a North Carolina drivers license or North Carolina special
44 identification card, as required by Section 4 of S.L. 2007-164, shall be deemed

1 perfected as of the date of the execution of the security agreement provided that the
2 application is delivered to the Division along with the required fee within 20 days of the
3 effective date of this act.

4 **SECTION 4.** The time limit provisions set forth in G.S. 20-73(a) and the
5 penalties provided in G.S. 20-73(c) shall not apply to any completed application which
6 had not yet been submitted to or processed by the Division by the effective date of this
7 act by reason of the fact that one or more owners failed to possess a North Carolina
8 drivers license or North Carolina special identification card, as required by Section 4 of
9 S.L. 2007-164, provided that the requirements of G.S. 20-73 are met within 28 days of
10 the effective date of this act.

11 **SECTION 5.** Sections 1, 3, and 4 of this act are effective when they become
12 law and apply to applications for registration and certificate of title made on or after that
13 date. Sections 1, 3, and 4 of this act shall also apply to any certificate of title,
14 registration plate, registration card, or notation of security interest application which had
15 been completed but not yet submitted to or processed by the Division by the effective
16 date of this act. Section 2 of this act is effective September 1, 2007, and applies to
17 applications for registration and certificate of title made on or after that date.